IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 33864 of 1997

Between:

Shiva Labour Contract Co-operative Society Ltd., rep.by its President
V.Narayana,S/o Parasuramulu.
Kamanpur Village, Karimnagar District,

..... PETITIONER

AND

1 The Superintending Engineer, R&B Circle
Karimnagar.
2 The Executive Engineer, R&B Division, Karimnagar.
3 The Superintending Engineer, Irrigation Circle,
Karimnagar.
4 The Superintending Engineer Sriramsagar Project,Huzurabad,
5 The Superintending Engineer, G.V.C.Circle IV, LMD Colony,
Karimnagar.
(Dismissed for default as per Court order dt.7-9-2000
as against Respondents 2,4 & 5)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an appropriate Writ, or order or direction particularly in the nature of a Writ of Mandamus declaring the action of the respondents in not accepting the tender form of the petitioner society as illegal, arbitrary and in Contravention of G.O.M.s.No.178,dt.27-9-97 and declare that the said G.O.Ms.No.178,dt.27-9-97 is Applicable to the petitioner Society, Consequently direct the respondent herein to receive the tender forms submitted if any or to be submitted by the petitioner Society in terms of G.O.Ms.No.178,dt.27-9-97

Counsel for the Petitioner : Mr.V.SATYANARAYANA
Counsel for Respondents : G.P. FOR ROADS & BUILDINGS

The Court made the following :

ORDER:

The petitioner filed this writ petition seeking to declare the action of the respondents in insisting him for payment of earnest money deposit upto any value of the work and production of commercial tax clearance certificate and experience certificate at the time of allotment of works, as arbitrary and illegal, and consequently to direct the respondents not to insist on furnishing earnest money deposit.

Heard the learned counsel for petitioner and the learned Government Pleader for Respondents.

The main relief and the interim relief sought for by the petitioner is one and the same. This Court while admitting the writ petition by order dated 18.12.1997 granted interim direction in W.P.M.P.No. 39846 of 1997. The learned counsel for petitioner submits that in view of the said interim directions, no orders are required to be passed in this writ petition and it has become infructuous.

Therefore, the writ petition is dismissed as having become infructuous. There shall be no order as to costs.

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N.V.RAMANA, J

Date: 7.4.2005

DA/SVV

To

1 The Superintending Engineer, R&B Circle

Karimnagar.

2 The Executive Engineer, R&B Division, Karimnagar.

3 The Superintending Engineer, Irrigation Circle, Karimnagar.

4 The Superintending Engineer Sriramsagar Project,Huzurabad,

5 The Superintending Engineer, G.V.C.Circle IV, LMD Colony, Karimnagar.

6 Two CCs to the G.P. for Roads & Buildings, High Court Buildings, Hyderabad (OUT).

7 Two CD copies.